[Mr. T. T. Kesavan Sastri]

സർ, മേലാൽ ഉണ്ടാകേണ്ട നിയമനങ്ങളെ സംബന്ധിച്ചും മറ്റും നാഷനൽ കാൺഗ്രസു പാർട്ടിയിൽനിന്നും ഗവണ്മെൻറിലേക്കു സമർപ്പിച്ചിട്ടുള്ള മെമ്മോറാണ്ടത്തെ സംബന്ധിച്ചും ഒന്നു രണ്ടു വാക്കുകൾ പറയാതിരിക്കാൻ നിവൃത്തിയില്ല. ഇവിടത്തെ എല്ലാ സമുദായക്കാരുടേയും താല്പര്യങ്ങളെ പരിഗണിച്ചു കൊണ്ടുള്ള നിർദ്ദേശങ്ങളാണ് ഇതിൽ കാണുന്നതു്. എങ്കിലും ന്യൂനപക്ഷക്കാർക്കും അവശസമുദായക്കാർക്കും നിലവിലിരിക്കുന്ന സൗജന്യങ്ങൾ വിസ്തൃതങ്ങളായിട്ടാണ് കാണുന്നതു്. ഇതു് ശരിയായിട്ടില്ലെന്നതന്നെ ഇവിടെ എടുത്തു പറയേണ്ടി വന്നതിൽ വ്യസനിക്കുന്നു. വ്യ,സ്യവ്യ,ർ ക്ര ക്ര ഉള്ള നായർ സമുദായത്തിനു ൻ-ം വ്യ,സ്യൻ,വ്യസ്യ ക്ര ഉള്ള ഈഴവസമുദായത്തിനു ൻ-ം ഉദ്യോഗങ്ങൾ നിർദ്ദേശിച്ചിട്ടുള്ളപ്പോൾ ക,ാ ഒ,ന്ന ഒ ഉള്ള പുലയസമുദായത്തിനു രണ്ടുദ്യോഗമാണ് പറഞ്ഞിട്ടുള്ളതു. പുലയർക്കു കൂടുതൽ സൗജന്യങ്ങൾ കുറെയാമെങ്കിലും ഉണ്ടാകാതിരുന്നാൽ അവർ ഉദ്ധൃതരായി മുൻപോട്ടു വരുന്നതല്ല. ഗവണ്മെൻറിന്റെ സവിശേഷമായ ശ്രദ്ധ ഇതിലും പതിയുമെന്നുള്ളതിനാൽ ഈ ഭാഗവും ഞാൻ തൽക്കാലം വിടുന്നു. സർ, സ്പീസു കമ്മീഷ്ണർ ന്യായം നടത്തുമെങ്കിലും തെറ്റിദ്ധാരണകൾ ഇന്നില്ലാതില്ല. അതിനാൽ ഈ മെമ്മോറാണ്ടത്തിൽ ശുപാർശ ചെയ്തിട്ടുള്ള അഡൈവസറി കമ്മറ്റിയുടെ ആവശ്യം അപരിഹാര്യമാണ്. പലരും ഈ അഭിപ്രായത്തെ എതിർക്കാമെങ്കിലും നാഷനൽ കാൺഗ്രസു പാർട്ടി ശരിയായി അറിഞ്ഞു പറയുന്ന ഈ അഭിപ്രായം ആദരണീയമാണെന്നതന്നെ ഞാൻ തീർത്തു പറയുന്നു. ഉപദേശകസമിതികളുടെ പ്രയോജനം വളരെ വലുതാണെന്നു ഗവണ്മെൻറിനുതന്നെ ബോദ്ധ്യപ്പെട്ടിരിക്കാനാണിടയുള്ളതു.

ADJOURNMENT MOTION RE: THE POSTPONEMENT OF THE DEBT RELIEF BILL.

PRESIDENT: Order, order. It is half past three now and the adjournment motions will be taken up. I will call upon Mr. Narayana Pillai first, then Mr. Padiyara Joseph Kunju and then Mr. Velu Pillai. The other speakers will come afterwards.

MR. M. R. NARAYANA PILLAI (*Tiruvella*): Sir, I beg to move the adjournment of the business of the House to discuss a matter of urgent public importance *viz.*, the strenuous efforts on the part of the decree-holders to expedite sales of immovable and other properties and the execution of decrees of courts in view of the sudden postponement of the introduction of the Debt Relief Bill, which postponement has caused great discontent throughout the country.

LIBRARY ARCHIVES Kerala Legislative Assembly

Sir, the debt problem in Travancore has been something like a mill stone hanging from one's neck. The Government realised this. Accordingly they constituted a committee by a G. O. dated 11th July 1939. In that G. O. it was clearly stated that the report should be submitted within two months. The report though delayed was submitted on the 29th November 1939. We are now at the end of January 1940 and seven months have elapsed since the date of the G. O. A great deal of delay has been caused. Delay in these matters means more or less denial. My submission is that this bill should have been considered earlier. Even now, it is not too late for giving some relief to the poor debtors and agriculturists whose labour is the country's main source of wealth. On the second of January 1940 there was a rumour throughout the State that the consideration of the bill, though included in the provisional list of legislative business, will not be taken up. A representative body, among them a few members of this House, met the Dewan, and that body got the assurance of the Dewan that the bill would be taken up for consideration in this session.

PRESIDENT: What did that representative body do?

MR. M. R. NARAYANA PILLAI: On the 8th January 1940 the Dewan at Bhaktivilas more or less gave the assurance that the bill would be introduced in this session.

PRESIDENT: It is not a fact.

MR. C. JEBAMONY NADAR: May I know whether the member was among those who met the Dewan?

MR. M. R. NARAYANA PILLAI: I was one in that body. Any way, the revised list of the legislative business showed that the Debt Relief Bill was not included. A letter which was sent round by the Secretary to the members of the Assembly announced that the members of this House should be allowed an opportunity to discuss the report of the Committee and that a Bill will be drafted in accordance with the sense of the House. After that, the decree-holders made strenuous efforts to bring the immovable and other properties of the debtors to court-sales and also started proceedings against the person of the debtors by arresting them and incarcerating them in jail. This has really caused considerable panic and consternation in the minds of the people of the State. It is certainly the duty of the Government to prevent every attempt on the part of the decree-holders to have recourse to such coercive steps with a view to see that the debtors are not enabled to enjoy the benefit of any legislation which may come into force shortly. Steps should be taken by the Government for staying all execution proceedings till such time as the new legislation may come into force. In that way Government can make a gesture of their good will for the poor debtors of this country.

In this connection I would submit that steps should be taken to abolish the vicious practice of arresting people and putting them in jail for debts. This is more or less a remnant of an ancient barbarous system when revenge was the law. If this practice is stopped, I think, it will be another epoch-making achievement of Travancore.

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PRESIDENT: Supposing for instance a person has borrowed money on promisory notes for Rs. 10,000 and within two years alienates all his properties, is it the idea of the honourable member that as he cannot be arrested, the money need not be recovered?

MR. M. R. NARAYANA PILLAI: No, Sir. I was only saying that the practice of putting people in jail for debts should be stopped.

PRESIDENT: Supposing a man has deliberately defeated the law and has alienated all his properties, even then, would the honourable member think that no arrest is necessary?

MR. M. R. NARAYANA PILLAI: In that case he should be sent to jail for contempt of Court. I am sure that Government could come to the help of the debtors and the legal advisors to Government would put things clearly before Government. The strong hands of the Government must come to the help of the debtors. With these words I commend my motion for the acceptance of the House.

MR. PADIYARA JOSEPH KUNJU: സർ, ഈ വിഷയത്തിൽ പ്രാധാന്യം എത്രത്തോളമുണ്ടെന്നുള്ളതു ഇതിനെ സംബന്ധിച്ചു ഇത്രമാത്രം അടിയന്തിരപ്രമേയം ഇവിടെ ഹാജരാക്കിയിട്ടുള്ളതിൽനിന്നും അറിയാവുന്നതാണ് എന്റെ പേരിൽ തന്നെ രണ്ടു അടിയന്തിരപ്രമേയമാണുള്ളതു. ആദ്യത്തേതു് ഇതാണ്.

"I beg leave to move the adjournment of the business of the House to discuss a definite matter of urgent public importance *viz.*, the dropping of the Travancore Debt Relief Bill from the agenda for this meeting of the Sri Mulam Assembly."

രണ്ടാമത്തെ പ്രമേയം ഇതാണ്.

"I move that the business of the House be adjourned to discuss a definite matter of urgent public importance, namely, the situation created by the delay in introducing the necessary legislation regarding debt relief although it was included in the original agenda of the business of this session of the Assembly."

ഇവ രണ്ടും അർത്ഥത്തിൽ ഒന്നു തന്നെയാണെങ്കിലും രണ്ടു ദിവസമായി അയച്ചതാണ്.

സർ, എന്റെ സ്നേഹിതൻ മി. എം. ആർ. നാരായണപിള്ള ഈ വിഷയത്തെപ്പറ്റി ശക്തിയായി പ്രസ്താവിച്ചു കഴിഞ്ഞതുകൊണ്ടു ഞാൻ ഇതിനെപ്പറ്റി അധികം പറയണമെന്നു വിചാരിക്കുന്നില്ല. തിരുവിതാംകൂർ കൃഷിക്കുപ്രധാനമായ ഒരു രാജ്യമാണെന്നോ, ഈ രാജ്യത്തെ കർഷകരെ സഹായിച്ചാൽ മാത്രമേ രാജ്യത്തെ പൊതുപരിവൃദ്ധിയിലേക്കു നയിക്കാൻ സാധിക്കയുള്ളു എന്നോ, കർഷകരുടെ ക്ഷേമാദിക്കിലാണ് ഈ രാജ്യത്തിന്റെ പൊതുപരിവൃദ്ധികരം സ്ഥിതിചെയ്യു

LIBRARY ARCHIVES Kerala Legislative Assembly

ന്നതെന്നോ പ്രത്യേകം പറയേണ്ട ആവശ്യമില്ല. ഈ രാജ്യത്തെ ശാശ്വതമായ സമാധാനവും സംതൃപ്തിയും ഈ പ്രശ്നത്തിന്റെ തീരുമാനത്തിലാണ് സ്ഥിതിചെയ്യുന്നതെന്ന ഗവണ്മെന്റിനെ ഈ അവസരത്തിൽ ഞാൻ അറിയിച്ചുകൊള്ളുന്നു.

സർ, ഈ വിഷയത്തെ സംബന്ധിച്ചു മി. ജോസഫ് വിതയത്തിൽ ശ്രീമൂലം അസംബ്ലിയിലും ഞാൻ ശ്രീചിത്തിരസ്റ്റേറ്റ കൌൺസിലിലും ഓരോ ബിൽ ഹാജരാക്കിയിരുന്നു. എന്നാൽ ആ ബില്ലുകൾക്ക് എന്തു സംഭവിച്ചുവെന്ന് ആർക്കും അറിഞ്ഞുകൂടാ. ഗവണ്മെന്റ് ഇതിലേക്ക് ഒരു കമ്മിറ്റിയെ നിയമിക്കണമെന്നും അവരുടെ അഭിപ്രായം കേട്ടശേഷം അവരെക്കൊണ്ടുതന്നെ ഒരു ബിൽ ഉണ്ടാക്കിച്ചു നിയമസമിതിയിൽ ഹാജരാക്കാമെന്നും പറഞ്ഞതനുസരിച്ചു ഞങ്ങൾ ഞങ്ങളുടെ ബിൽ വാദപ്രതിവാദത്തിനെടുക്കണമെന്ന് നിർബന്ധിച്ചില്ല. അതു കഴിഞ്ഞശേഷം ഈ യോഗത്തിന്റെ അജൻഡായിൽ ഈ ബിൽ അവതരണം കൂടി ഉൾപ്പെടുത്തി. ഇപ്പോൾ പറയുന്നു, പൊതുജനങ്ങളുടെ അഭിപ്രായം അറിയണമെന്ന്. പൊതുജനങ്ങളുടെ അഭിപ്രായം അറിയുന്നതിനു ഈ പ്രതിനിധിസഭകളിലെ വിമർശനത്തേക്കാൾ പറ്റിയ മാർഗ്ഗം എന്താണെന്നു ഞാൻ ഗവണ്മെന്റിനോടു ഗൌരവമായി ചോദിച്ചു കൊള്ളുന്നു. ഫെബ്രുവരി മിഥുനം ൨൦-ാന്നു-യിലെ ശ്രീചിത്തിരസ്റ്റേറ്റ് കൌൺസിലിൽ ഇതേപ്പറ്റി ഒരു അടിയന്തിരപ്രമേയം അവതരിച്ചപ്പോൾ അങ്ങു പ്രസ്താവിച്ചതു ഇപ്രകാരമാണ്.

"It is the intention of the Government to expedite the matter by means of this authoritative committee; and on the definite decision of the committee, Government will act without any avoidable delay. Honourable members may rest assured that when the recommendation of the committee comes up before the Government they will *at once* constitute the necessary legislative machinery, or bring into existence a special meeting of the legislature—a joint meeting, if need be or if necessary, pass it as an emergent measure. I may assure the honourable members, once again, that there is absolutely no idea of postponing or merely pretermitting the decision on this question ..... If necessary Government will authorise this committee to submit an interim report if they consider it necessary."

ശ്രീമൂലം അസംബ്ലിയിൽ അങ്ങു പറഞ്ഞതു് ഇപ്രകാരമാണ്

"It is hoped that this committee will, as soon as possible, produce not only their recommendations but a draft bill for consideration by this House. The House will be requested to elect the members to serve on that committee in the course of today or tomorrow and due notice will be given for the same."

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. Padiyara Joseph Kunju]

സർ, തിരുവിതാംകൂറിലെ നിയമസഭാ പ്രസിഡൻറിന്റെ പ്രസ്താവനകൊണ്ട് പൂരിപാവാനങ്ങളാണെന്നാണ് ഞങ്ങൾ വിചാരിക്കുന്നത്. അതു നടപ്പിൽ വന്നു കാണാത്തതിൽ ഞങ്ങൾക്കു അസ്സീമമായ സങ്കടമുണ്ടെന്നു മാത്രമാണ്, ഈ രാജ്യത്തു ദാരിദ്ര്യം അനുഭവിക്കുന്ന, പട്ടിണിയിൽ ആണ്ടു കിടക്കുന്ന കർഷകരുടെ നാമത്തിൽ ഞാൻ അറിയിക്കുന്നത്. ഇതും പ്രസ്താവിച്ചുകൊണ്ട് ഈ അടിയന്തിരപ്രമേയത്തെ സഭയുടെ അംഗീകാരത്തിനായി സമർപ്പിച്ചുകൊള്ളുന്നു.

MR. G. VELU PILLAI (*Karunagapally* cum *Karthigapally*) : Sir, my own adjournment motion is in substance the same as those already moved by the two previous speakers.

MR. S. CHATTANATHA KARAYALAR : Sir, I rise to a point of order. Are there several motions before the House or is there only one motion which has been moved by the first speaker and on which the others are talking.

PRESIDENT : There is only one motion.

MR. G. VELU PILLAI : Sir, the announcement in this Assembly about the appointment of an authoritative Committee to go into the question of debt relief was welcomed by one and all as evidence of the fact that Government are fully alive to the seriousness of the economic condition of the country at present. The Committee was appointed in July last and it has submitted its report at the end of November. The Committee has also submitted a draft bill along with its recommendations. We are now at the end of January 1940. Sir, the appointment of the Committee was stated to be to speed up matters and to avoid delay in the bill having to pass through the Select Committee stage. Thousands of debtors all over the country were anxiously awaiting the report of the Committee in the pious hope that, as soon as it come, a bill would be introduced in the legislature, in a Joint Session if necessary and at once passed into law. Sir, during the last few months, the people have had only two important things to talk about, (1) the war and (2) the Debt Relief Bill. From this, it can be seen how anxious the people are about this matter. Further, credit itself is at a standstill now since the creditor himself knows not what will become law very soon. Continuous execution proceedings are taken and properties are being sold in court auction. The condition of the people is becoming worse and worse day by day. They have been made to wait too long for the Debt Relief Act. But I fear the last straw may break the camel's back. In the agenda paper which we first received, this bill had also been included. But, a few days hence came in an amendment which stated that only the Report of the Committee would be discussed this time, and that the bill would be taken up only at a subsequent Session. Sir, we do not know when next this House will meet and when the bill will be introduced. My honourable friend who preceded me has referred to the observations of the Dewan-President at

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the last meeting of the State Council ; I will refer to the Chief Secretary's Statement also at the same time. I will just read out what the Chief Secretary has stated :-

> "In this connection I may also state that it will take a longer time for the bills which have been introduced in the Assembly to pass through the various formalities and finally to be passed into law. Government assure the House that the matter will be looked into very carefully and steps will be taken to have the matter disposed of as expeditiously as possible."

Sir, I am sorry to say that, neither the assurance of the Dewan-President nor that of the Chief Secretary has borne fruit. The whole country is now disappointed, discontented and anxious. As a temporary measure at least, I would suggest that all the execution proceedings be stopped till the bill becomes law. In this connection, I may refer to the supplementary note by Mr. Narayana Kurup, to the Report of the Debt Relief Enquiry Committee, at page 95:—

> "It is certain that the recommendations of the Committee will take some time to become an Act. By that time the decree holders may be harassing the debtors by proceeding such as arrest and sale of property. Of course to prevent such a state of affairs the debtors will be paying something with very great difficulty. No doubt that payments towards what one owes is quite necessary and laudable. But that should not allow the creditors to have an undue advantage. The report says that any amount of interest paid in excess allowed by the new provisions will not be set off towards the principal. So much so that if the decree holders by their harassing processes able to realise more money which may go in excess allowed by the provisions, the debtor will not get credit to it, but if it is paid after the Regulation it may help the debtor to reduce his liability sanctioned by the new provisions. The provision to set aside the sale after 1-12-1114, will not obviate the above contingency. Even if the sales are set aside in these cases the costs will be an additional burden on the debtors. One of our colleagues suggested to the Committee that it should recommend to Government to stay all execution proceedings and attachment of movables before judgment till the new Regulation comes into force. I also supported him but the Committee did not think it worth while to consider the suggestion. I think the Committee ought to have recommended for a stay of execution of decrees and attachment of movables before judgment."

Sir, if all execution proceedings are stopped till the bill becomes law, that will afford some relief to the over-burdened debtor. With these words, I support the motion.

MR. J. E. A. PEREIRA (*Commerce and Industry, South*): Sir, representing as I do the commercial community, I feel it would be a dereliction of duty on my part if I do not oppose this resolution with all emphasis I can command. In doing so I request that I should not be misunderstood as being unsympathetic towards the rural debtor who certainly needs relief and that urgently. That is a matter on which there is no possibility of any divergence of opinion. Government

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[Mr. J. E. A. Pereira.]

themselves have realised the situation ; and that is why they have been granting liberal and generous remissions of land tax. There is therefore no denying the fact that there is rural indebtedness to a very large extent and that those debtors stand in need of substantial and urgent relief. As a commercial man myself I cannot shut my eyes to that fact; because the rehabilitation of the agriculturist is a condition precedent for the prosperity of trade. But, Sir, unfortunately, trade debts have also been coupled with rural agricultural indebtedness. I shall discuss this matter more elaborately when the Report itself comes up for discussion. At this stage I merely want to point out that my only reason for opposing the motion is that trade debts have also been coupled with agricultural debts. If even now I will be assured that trade debts will be eschewed, I will be the first to give my whole-hearted support to the present motion and to the bill, But as it is, the remedy suggested is worse than the disease. Sir, no one will deny that credit is essential for every country. All those general questions I shall reserve for fuller discussion when the Report is taken up.

As regards Mr. Narayana Pillai's observation, I find that the draft bill contains sufficient safeguards.....

MR. KANNANTHODATH JANARDANAN NAIR (*Karunagapally cum Karthigapally*): May I ask whether those details can be discussed now ?

MR. J. E. A. PEREIRA : I was only going to make a casual reference ; that is all.

Sir, my point is that, so long as trade debts have also been brought in, the whole matter to be very carefully scrutinised; there is not much justification in my friends' trying to hurry it up. With these words I oppose the motion.

PRESIDENT : As the discussion is taking a very wide range and as more than one reference has been made to certain assurances given by the Dewan or by the Government or by the Chief Secretary, one or two matters might perhaps be mentioned for the purpose of clarification of the issue. It is not to be suggested for a moment that the circumstance that the Bill does not come up for consideration at this meeting signifies any reluctance on the part of the Government or is meant merely to mark time and give rise to that discontent which has been so vividly described. The Bill has not been brought in this time, solely because Government came to the conclusion that there are certain aspects of the matter which had to be very carefully considered before the actual Bill itself is put forward before the Legislature ; Government felt that it would be very useful if, before the Bill is taken up, the House would discuss threadbare the Report of that influential committee which has been made available to Government without any avoidable delay. I quote myself and say that there would be a meeting of the Legislature very soon to consider a bill, which might be the bill furnished by the committee or that bill suitably amended. But the point is of much wider import than what has emerged from out of the discussion so far,

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The root problem is the problem of rural indebtedness. That ural indebtedness has to be releived and some kind of assistance fforded, there can be no doubt. But there are three or four parties to he transaction. There is Government responsible for the peace and ontentment of the country. There are the creditors who have advanced money and have, on the basis of such advances, entered into ertain commitments with their own creditors. There are the debtors who, either on account of the present economic depression or otherwise ind themselves unable to fulfil their strictly legal obligations. There are traders and trade obligations. Now, what is to be done in justice o all these interests?

So far as Government have been able to gauge public opinion, the reditor class is perfectly willing to have the debts scaled down having egard to conditions in the country, provided they can be assured of payment of the debts so scaled down within reasonable time. I for one lo not see much difficulty in persuading the creditor class to have the lebts scaled down to 20, 30 or even 40 per cent., provided the balance would be paid within measurable periods. What they are afraid of is just what is threatening and happen in a neighbouring State. Let me tell you what is reported from Cochin yesterday. The members of the Legislative Council have sent a petition to the Dewan urging the need to extend the time for the payment of the first instalment of agricultural lebts as scaled down. They state that since passing of the Act, the economic condition of the agricultural debtor has not improved, and hat the Credit Bond Scheme of the Government has not materialised to enable the agricultural debtors to pay the first instalment of the lebts. They are therefore asking the Government of Cochin to extend the partial moratorium till the end of the current year, that is the middle of August. If that is the kind of settlement we initiate it may not take anywhere though it may break down the credit machinery.

Now let us assume for a moment that debts are scaled down by 40 or 50 per cent and nothing else is done. No doubt the Government and the Legislature can console themselves that relief has been granted to the agriculturist, that his debts have been scaled down and one important matter disposed of.

But the question would arise for the debtor to raise some money from some quarter to pay his debts so scaled down. Now in Cochin the Government thought of a credit bond scheme, but there has arisen a real difficulty on account of the present money market condition. The position of the Travancore Government is different as we are willing to take definite risks. They are willing to consider the possibility of tackling the problem to the extent of their readily available resources. One of the important points that this House has to consider is whether the proposed legislation can come into effect without the Government's assistance. Can it be worked without Government assistance in some form or other? If so, the Government could easily take up a definite stand, they would be guided largely by the sentiments of the representatives of the people and you would soon get a legislation. But that may not take the people very far.

LIBRARY ARCHIVES Kerala Legislative Assembly

[President.]

Supposing the debts are scaled down by 30 per cent or 40 per cent. and at the end of 3 months or 6 months, or even one year, they find the position exactly as it is now. Then there will be clamour for another legislation, a further scaling down, another moratorium. What we want is an effective method of wiping out the incubus of debts, so that people might be able to start with a clean slate. It is for that reason that the Government are anxious that the whole question should be very carefully gone into before any legislation is thought of. It is there that Government would like to have the benefit of the full discussion here of the various aspects of the Report. Let me illustrate the position. Please let it not be understood that the figures I am going to mention are final or decisive or binding on Government. Assuming that Government come to the conclusion that, having regard to the extent of agricultural indebtedness and the general feeling in the land they should set apart, let us say, one crore of rupees, what does that mean for the relief of agricultural indebtedness? These figures are purely hypothetical; let them not be taken as binding on Government. That one crore of rupees might be obtained by Government in the money market to-day at about $3\frac{1}{2}$ per cent. Some kind of sinking fund arrangement spread over two decades may have to be made and we may have to provide for a sinking fund etc. Any such arrangement would mean that Government will have to set apart, for the next 20 years, rupees five lakhs every year to the debit side of their budget. No doubt, it may be argued that realisations will come in. But we have had some experience of the realisation of agricultural and industrial loans. If we get realisations, we shall be lucky; if we do not, the Government have to shoulder the residual liability.

With that one crore, let us see whom we can help? I am told that decreed debts alone amount to Rs. 8 crores. There are other debts too. Obviously, therefore, Government can only attempt to relieve the small agricultural debtors who have really suffered and who are still suffering; not those people who have indulged in speculations and lost money, persons who have contracted large amount of debts and who rely on propaganda and influence for the purpose of getting indirect concessions from Government. The bigger debtors and their bigger creditors will have to deal with the matter themselves.

Therefore, the question is to what extent Government can come in to the aid, and if Government comes in, whom they can help and which would be the easiest approach to the solution. These are the matters which Government thought fit could with advantage be considered by this House, before actually starting on a legislative enactment. If the House is of the opinion that the present bill as embodied in the Committee's report would be sufficient, they can now ask for the bill being brought in at the next sitting of the Legislature, which will not be very far from now. Only, Government consider that having regard to the wide scope of the Committee's Report, the House may

LIBRARY ARCHIVES Kerala Legislative Assembly

after full discussion, come to the conclusion that the draft bill needs changes. The debts may have to be classified and dealt with differently. As a matter of fact, the Committee has realised the need to advert to all the questions and have put forward their suggestions. Naturally, they could not put them all in a more crystallised form than they have done. Government expect the help of the Legislature in regard to this question. That and that alone—nothing sinister or indirect—was the purpose of Government in thinking of such a preliminary discussion before the actual introduction of the legislation. I may perhaps repeat that there will be no avoidable delay in taking on hand the necessary legislative measure to solve the problem of indebtedness.

MR. P. NARAYANA PILLAI (*Mavelikara* cum *Kunnathur*): May I put a suggestion to Government that instead of saying that a Bill be brought up for discussion in a joint session as early as possible, why not they definitely say that a Bill will be introduced on a particular day and thus allay the apprehension of the people at large.

MR. DOMINIC JOSEPH (*Vaikom* cum *Kottayam*): Sir, I support the motion before the house. There is a saying that justice delayed is justiced denied. To my mind that statement can be applied with equal force if not greater force to debt relief. Debt relief delayed is debt relief denied. The question of debt relief has been before the attention of Government ever since the commencement of depression. The depression started in 1929. In that year itself the Government appointed the unemployment committee. After that the banking enquiry committee, next the economic depression enquiry committee, and then the agricultural debt relief enquiry committee came into existence. Finally, the debt relief enquiry committee was appointed. The reports of all these committees are before Government. After making extensive investigations, local enquiries and examination of witnesses they have submitted authoritative reports. My submission is that the Government are in possession of sufficient data to embark upon the legislation needed for the people at large.

PRESIDENT: But what is the result of that in terms of money?

MR. K. DOMINIC JOSEPH: Sir, the Dewan-President has been stating that Government assistance cannot go to wipe out the whole indebtedness of the people of Travancore. That we can perfectly understand. My submission is that Government assistance, if at all need, go only to a limited extent and for a limited amount. For example Government need advance money or issue bonds only to the assistance of debtors whose debts amount to a maximum limit of Rs. 2,000 or Rs. 5,000. As to the major debtors whose debts exceed Rs. 5,000, let them be allowed the benefit of the other beneficient provisions such as reduction of interest as well as the instalment system. The major debtors will be benefited by those provisions, at least to a certain extent.

MR. M. SIVATHANU PILLAI: Are the remarks of the honourable member germane to the adjournment motion now under discussion?

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PRESIDENT: That is one way to gauge the seriousness of the situation.

MR. K. DOMINIC JOSEPH: Attempting to answer the points raised by the Dewan-President, I was submitting that the major debtors may be excluded, if necessary, from any arrangement that may be made with regard to the issue of bonds or granting the loan through financial agencies. Let them be benefited by the other measures of relief, the instalment system and the reduced rate of interest.

As to the difficulty raised in realizing the scaled down debts, the report itself says it is only in respect of debtors who will pay their debts within a period of 1½ years the concessions will apply. If a debtor fails to pay that amount within 1½ years it means that he will be denied the concession of scaling down. Therefore there is ample protection for the creditors in the report itself.

As to the existence of the problem of debt relief, and also the seriousness of it there is no dispute. Therefore the urgent duty of the Government is to give the maximum amount of relief to the debtors at the earliest possible moment without sacrificing the genuine interests of the creditors.

MR. M. R. NARAYANA PILLAI: In view of the statement by the Dewan-President I do not press my motion. I may be permitted to withdraw it.

MR. M. SIVATHANU PILLAI: Sir, I object to the motion being withdrawn.

(The question of withdrawal was next put to vote and lost.)

MR. N. VELU ACHARI (*Nominated*): സർ, കടം വാരണത്തിൽ അസംബ്ളിയുടെ ആലോചനയിൽ എടുക്കുന്നതിനായി അവതരിപ്പിച്ചിരിക്കുന്ന ഈ പ്രമേയത്തെ സംബന്ധിച്ചു അനുകൂലമായും പ്രതികൂലമായും അഭിപ്രായങ്ങളുണ്ടായി. എന്നാലിതിന്റെ യഥാർത്ഥസ്ഥിതി എന്റെ അറിവിൽപ്പെട്ടിടത്തോളം ഞാനവിടെ അറിയിക്കാൻ ആഗ്രഹിക്കുന്നു.

സർ, ഈ രാജ്യത്തുള്ള ധനത്തിൽ ഭൂരിഭാഗവും ഏതാനും ചില കുടുംബക്കാർ മാത്രമാണു ഇപ്പോഴും കൈവശം വച്ചുകൊണ്ടിരിക്കുന്നതു് ഇവിടത്തെ ബഹുഭൂരിപക്ഷം ജനങ്ങളും സാധുക്കളാണല്ലോ. ഈ സാധുക്കൾ ഇപ്പോഴത്തെ അതിഭാരണമായ വ്യാപാരമാന്ദ്യം, തൊഴിൽ ക്ഷാമം കാർഷികോൽപ്പന്നങ്ങൾക്കുള്ള വിലക്കുറവു മുതലായ സംഗതികളാൽ വളരെ അധികം അനുഭവിച്ചുവരുന്നുണ്ടു്. അതുകൊണ്ടാണല്ലോ ഇവിടത്തെ നേതാക്കന്മാരും ഗവണ്മെന്റും ഈ കാര്യത്തിലെ മറ്റുള്ളവരുമായി ചേർന്നു വേണ്ട നിവാരണമാർഗ്ഗം ഉണ്ടാക്കുന്നതിനു് തീവ്രപ്രയത്നം ചെയ്തിട്ടുള്ളതു്. അതിന്റെ ഫലമായി ഒരു ബില്ലും ഉണ്ടാ

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യി. മേൽപറഞ്ഞ വിഷമങ്ങളെ പരിഹരിക്കുന്നതിനായി ഇതു് എത്രയും വേഗത്തിൽ പാസാക്കി ഈ സാധുക്കളായ കടക്കാരെ അതിൽനിന്നും മോചിപ്പിക്കേണ്ടതു് വളരെ അത്യാവശ്യമായിട്ടുള്ള ഒരു സംഗതിയാണു്. ബഹുമാനപ്പെട്ട അദ്ധ്യക്ഷസ്ഥാനത്തുനിന്നും ചില സംഗതികൾ പ്രസ്താവിച്ചിട്ടുള്ളതു് പരമാർത്ഥമാണെങ്കിലും ഇന്നത്തെ കടക്കാരുടെ നില വളരെ പരിതാപകരമെന്നല്ലാതെ പറയുവാൻ നിവർത്തിയില്ല. വലിയ തോതിലുള്ള കടക്കാർക്കു് പെട്ടെന്നു് സഹായം ചെയ്തുകൊടുത്തില്ലെങ്കിലും തരക്കേടില്ല. ഒരു നിയമത്തിന്റെ ആവശ്യം അവശതയും കഷ്ടതയും അനുഭവിക്കുന്ന കടക്കാർക്കാണു് ഇന്നു് അത്യാവശ്യമായിട്ടുള്ളതു്. വല്ലവരും വൻതുകകൾ കടം വാങ്ങിയിട്ടുണ്ടെങ്കിൽ അവരുടെ പരിതസ്ഥിതിയും സൗകര്യവും അതിനനുയോജ്യമായതുകൊണ്ടാണു് അവർ അങ്ങനെ ചെയ്തിട്ടുള്ളതു്. അതുകൊണ്ടു് വൻകടക്കാരുടെയും ചെറുകടക്കാരുടെയും നിലയും വിലയും മനസ്സിലാക്കി അതിന്റെ താരതമ്യമനുസരിച്ചു് വേണ്ട റിലീഫ് ഉണ്ടാക്കിക്കൊടുക്കുന്നതു് ഏറ്റവും ഉത്തമമായ ഒരു സഹായമാണു്. ആയതിനാൽ ഉടനടി ആ ബിൽ ഈ അസംബ്ലിയിൽ പാസ്സാക്കുകയോ അല്ലാത്തപക്ഷം ഈ സാധുക്കളെ ഉദ്ദേശിച്ചു് എന്തെങ്കിലും സൗകര്യം കോടതിമുഖേന ചെയ്തുകൊടുക്കുന്നതിനു ഗവർമ്മെൻറിൽ നിന്നും നടപടി നടത്തുകയോ ചെയ്യണമെന്നുള്ള അഭ്യർത്ഥനയോടുകൂടി ഞാൻ ഈ പ്രമേയത്തെ പിൻതാങ്ങുന്നു.

MR. K. P. KOCHUKORA THARAKAN (*Kunnatnad cum Parur*) : നിയമസഭയിൽ ഗവണ്മെൻറ് ഏതോ നിയമങ്ങൾ കൊണ്ടുവന്നു കടക്കാരെ സഹായിക്കാൻ പോകുന്നുവെന്നു് കുറെ കാലമായി കേട്ടിരുന്നതുകൊണ്ടു് പണക്കാർ കഴിയുന്നതും വേഗത്തിൽ തങ്ങളുടെ സ്വാധീനശക്തിയുപയോഗിച്ചു് കർശനമായുമുള്ള നടപടികൾ നടത്തിച്ചു തങ്ങൾക്കു ഈടാകാനുള്ള കടങ്ങളെല്ലാം വസൂലാക്കി വരികയാണു്. അതിനുള്ള ശീഘ്രനടപടികളാണു കുറച്ചുകാലമായി കോടതികളിൽ നടന്നുകൊണ്ടിരിക്കുന്നതു്. ആ നിലതന്നെയാണു് ഇപ്പോഴും നടന്നുകൊണ്ടിരിക്കുന്നതു്. ഈ നിലയ്ക്കു ഈ ബില്ലു് പാസാക്കുന്നകാര്യം കുറച്ചുകൂടി നീട്ടി വയ്ക്കുകയാണെങ്കിൽ അതിനിടയ്ക്കു് ശക്തിയായ നടപടികൾ നടത്തി തങ്ങൾക്കു ഈടാകാനുള്ള പണം വസൂൽചെയ്യുന്നതിനു് ഇന്നത്തെ പണക്കാർക്കു് കൂടുതൽ സൗകര്യം ലഭിക്കുന്നതാണു്. അങ്ങിനെ വരുമ്പോൾ കടക്കാരെ രക്ഷിക്കുന്നതിനുള്ള ഒരു ബില്ലിന്റെ ആവശ്യം തന്നെ ഇല്ലാതെ കഴിച്ചുകൂട്ടാവുന്നതാണു്. ഇന്നുവരെയുള്ള കർശനമായ നടപടികൾ നിമിത്തം ൭൫ പെർസന്റ് കടത്തുകകളും ഇപ്പോൾ തീർന്നിട്ടുണ്ടു്. ൨൫ ൦൫

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[Mr. K. P. Kochukora Tharakan.]

മുതൽ ഫ ഫ ഫ 0 വരെ നടന്ന ലേലങ്ങളുടെ ഒരു പട്ടിക നോക്കുകയാണെങ്കിൽ ദിവാൻപ്രസിഡൻറ് അവർകൾ പറഞ്ഞ സംഖ്യയോളം വരുന്നതാണ്. ഇനിയും മിഡ്സമ്മർ വെക്കേഷൻവരെ ഇതിനെ നീട്ടിക്കൊണ്ടുപോകുകയാണെങ്കിൽ ഈ ബില്ലുകൊണ്ട് സാധാരണക്കാക്കു വലിയപ്രയോജനം ഉണ്ടാകാനില്ല. ഫ ഫ ഫ ർ മുതലുള്ള കടങ്ങൾക്കു റിപ്പോർട്ടിൽ ചില വ്യവസ്ഥകൾ പറഞ്ഞിട്ടുണ്ട്. അതു പാസായാലും ഇല്ലെങ്കിലും ജംഗമസാധനങ്ങളെ വിറ്റു തുക ഈടാക്കുന്ന നടപടി തൽക്കാലം നിറുത്തി വയ്ക്കുക തന്നെവേണം. ക്രടാതെ സ്ഥാവരവസ്തുക്കളെ ലേലത്തിൽ വല്പിക്കാതെ ജപ്തിയൊമറൊ ചെയ്യുകയും അതിലേക്കുള്ള ചിലവു് കടക്കാരൻ തന്നെ വഹിയ്ക്കണമെന്നു് വ്യവസ്ഥ ചെയ്കയും ചെയ്താൽ മതിയാകുന്നതാണു്. ഇങ്ങനെ ചെയ്താൽ സാധുക്കളുടെമേൽ ക്രൂരതൽ കടഭാരം ചുമത്താതിരിക്കാൻ സാധിക്കുന്നതാണു്. ഇപ്പോൾ കൃഷിക്കാരെ സഹായിക്കാൻ പോകുന്നു,നിയമം ഉണ്ടാക്കാൻ പോകുന്നു എന്നെല്ലാം പണക്കാർ കേട്ടു് യാതൊരുദാക്ഷിണ്യവും ക്രടാതെ സാധുക്കളെ ഉപദ്രവിച്ചുകൊണ്ടിരിക്കയാണു് ചെയ്യുവരുന്നതു്. ഇന്നു ബില്ലുവരും, നാളെ ബില്ലുവരും എന്നു് കുറെക്കാലമായ കേട്ടുകൊണ്ടിരിക്കുകയാണു്. എന്നാൽ ഇതുവരെ വന്നിട്ടില്ല. അതുകൊണ്ടു് ജംഗമസാമാനങ്ങളുടെ വില്പന നിറുത്തുകയും സ്ഥാവരവസ്തുക്കളെ ലേലം ചെയ്യാതെ ജപ്തി ചെയ്യുന്നതിനുള്ള വ്യവസ്ഥ മാത്രം മതിയെന്നു വെയ്ക്കുകയും അതെങ്കിൽ ബില്ലു് കൊണ്ടുവരുന്നതു് കുറെ താമസിച്ചായാലും തരക്കേടില്ല. അങ്ങിനെ ഒരു വ്യവസ്ഥ ചെയ്യണമെന്നുള്ള ഒരു അഭ്യർത്ഥനയോടുകൂടി ഈ പ്രമേയത്തെ ഞാൻ പിൻതാങ്ങുന്നു.

MR. M. SIVATHANU PILLAI: I oppose the motion. It has been said that a very serious situation has been created simply because Government have not included in the agenda for this Session a Bill called the Debt Relief Bill. I wonder how it could be. Members who spoke in support of the motion put forward the contention that a very serious situation has been created by the Government in substituting Debt Relief Committee's report in the place of Debt Relief Bill in the revised agenda paper. The only serious situation, if any, that has happened since the appointment of the Committee to go into the question of debt relief is the world war and nothing else has taken place. It was announced on the floor of this House that the Government thought it would be more desirable to have the views of the members of the House before the Government take a particular line of tackling the debt problem and giving it in the shape of a Government Bill, and that is only they proposed to invite a discussion on the report. Has this caused

LIBRARY ARCHIVES Kerala Legislative Assembly

any serious situation? When I mentioned the world war, it leads to another aspect of the question The Dewan-President remarked that the question of asking the Government to find money to pay to the creditors when debts are scaled down, requires very serious thought. If at all there is any remote idea of the Government incurring such a liability, I warn them. We can easily imagine that, as soon as this war is over, there will be a terrible depression. Then the agriculturists will be highly prejudiced. I am sure that the depression that we envisage will be worse than the depression of the last war. So I would ask the Government not to entertain any idea of taking such a responsibility. The only seriousness of the situation is that they should be doubly sure before they take up this responsibility. By all means let there be a Bill to give relief to agricultural debtors, with an element of compulsion on the creditors. But I have absolutely no idea whatsoever to ask the Government to take any responsibility to give a single pie to the creditors on account of composed debts of the agriculturists, let alone the traders and industrialists, to satisfy their debts. I understand that there is an attempt to rush through the Bill. There is no necessity, I say, of rushing the Bill through this House. Government must take serious notice of the situation. Let them watch the progress of the world war and its economic effect if they dare go into the market for a Debenture loan. If the world war is to come to an end at once, then they may think of exploring the money market for purpose of Debenture. If the world war is to continue then Government shall not take any responsibility of finding money to repay the debts even if the creditors are prepared to scale down the debts by 50 or 60 per cent. These are some of the aspects of the question to be seriously considered before the Government think of entailing any financial commitment to the creditors. With these words I oppose the motion.

MR. D. FRANCIS (*Kalkulam* cum *Vilavankod*): ஸர், கடன் வாங்கினவர் ள், கடனைத் திரும்பிக் கொடுத்துத் தீரவேண்டும். மழைக்குறைவினாலும், நெல் முதலிய சாமான்களின் விலை குறைந்துபோனதினாலும், வரவு சாமான்களின் விலை கூடுதலானதினா , நூற்றுக்கு ஒரு ரூபாய் வீதமுள்ள கடன வட்டிகள் கொடுக்க தவரியிருப்பதில்தான் இந்த நெருக்கம் ஏற்பட்டிருக்கிறது. அதை சரிப்படுத்தவேண்டுமானால் வட்டியை சரியாய் குறைக்கவேண்டும். பணவசூல் செய்வதற்குள்ள காலவதியை நீட்டிக் கொடுக்கவேண்டும். அதிகம் தவணைகளாக கணம் கொடுத்து தீர்க்கவும் சம்மதிக்கவேண்டும். ஜெயிலில் பிடித்துவைக்கிற சம்பிரதாயம் வேண்டாம். ஸ்தாவரஜங்கம சொத்துக்களை விற்று ஈடாக்கவேண்டும்.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, when I heard the argument of my honourable friend Mr. Sivathanu Pillai, I was afraid whether we were going to enact a legislation for the outside world also, because he observed that he wanted to see the termination of the world war.

MR. M. SIVATHANU PILLAI: I only said that that is also a matter for consideration.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: During the course of his observation, though real circumstances were pointed out by various speakers with regard to the urgent necessity for the introduction of a Debt Relief Bill, he observed that the introduction of the Debt Relief Bill may be conveniently deferred till the normal economic conditions are restored throughout the world as the result of the termination of the present war. As an instance of the kind I would inform the honourable friend of the most beneficial provisions in Act III of 1112, *i.e.*, the Agriculturists' Relief Act, Sections 33 to 36 of that Act provide for the recovery of debts in instalments, the limitation of interest on past debts, limitation of interest on future debts and also limitation of interest on past paddy loans. It is admitted almost on all hands that the institution of Debt Conciliation Boards was not of much avail so far as problem of composition of debts is concerned. That is the reason why I submit that the most beneficial provision in Act III of 1112 are those contained in Sections 33 to 36 of that Act. It can be seen from the wording of the several sections referred to just now that those provisions could be in force only for a period of three years from the promulgation of that Act. The period prescribed for the operation of those sections has already expired and under the provisions of that Statute agriculturist debtors or creditors cannot apply to Civil Courts in execution of decrees for any relief under those sections. This is, I believe, a sufficient reason for the Government to take early steps for the introduction of a bill on the lines of the recommendations contained in the Report of the Committee appointed for the purpose and also to see that adequate legislative enactment is passed at the earliest moment.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Legal Remembrancer to Government*): Sir, I wish to correct the honourable member. I wish to point out to him that the period contemplated in that Act has been extended by a Proclamation. Probably my honourable friend may not be aware of that enactment.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: I am not unaware of it. But even the extended period will expire very soon. And if early steps are not taken for the introduction of a bill the extended period also is likely to expire shortly and we may not be able to enjoy the beneficial provisions of a statute on the lines of recommendations contained in the Report of the Debt Relief Enquiry Committee. Hence it is necessary that we should accept the adjournment motion even though the mover ventured to withdraw the motion, in which attempt he was defeated.

MR T. C. KESAVA PILLAI: ഇവിടെ അവതരിപ്പിച്ചിരിക്കുന്ന അടിയന്തിരപ്രമേയത്തെ ഞാൻ ഹാർദ്ദവമായി പിൻതാങ്ങുന്നു. പ്രമേയത്തിനാധാരമായ സംഗതിയെപ്പറ്റി വിമർശിക്കുന്നതിനു ധാരാളം സമയമുള്ളതുകൊണ്ടും അതിലേക്ക് പ്രത്യേക സമയം നിശ്ചയിച്ചിരിക്കുന്നതുകൊണ്ടും

LIBRARY ARCHIVES Kerala Legislative Assembly

പ്രമേയത്തിന് ഹേതുഭൂതമായ സംഗതികളെപ്പറ്റി മാത്രം പ്രസ്താവിക്കാമെന്ന് വിചാരിക്കുന്നു. പ്രമേയത്തെപ്പറ്റി എന്റെ ചില മാന്യസ്നേഹിതന്മാർ ഇവിടെ പ്രസ്താവിച്ചുകഴിഞ്ഞു. ശ്രീമാൻ ശിവതാണുപിള്ള അവർകൾ കർഷകരുടേയും ബാങ്കിന്റേയും മുനിസിപ്പാലിറ്റിയുടേയും പ്രതിനിധിയാണ്. നാഗർകോവിൽ മുനിസിപ്പൽ അതൃത്തിക്കകത്തു കുളത്തിലെ വെള്ളം കോരികൊടുത്താലും തരക്കേടില്ലാ എന്നു പറഞ്ഞതു പോലെ ഈ അടിയന്തിരപ്രമേയം ആവശ്യമില്ലെന്നാണ് അദ്ദേഹം പറയുന്നത്. എക്സിക്യൂഷൻ നടപടികളെ ഉടൻ നിറുത്തിവയ്ക്കേണ്ടതു് വളരെ അത്യാവശ്യമായ ഒരു കാര്യമാണ്. ആയിരം രൂപായ്ക്കു വസ്തു വാങ്ങിച്ചാൽ നാലു ശതമാനം പലിശയെ കിട്ടുകയുള്ളു. എന്നാൽ ആയിരം രൂപാ കടം കൊടുത്താൽ ഫല രൂപാ കിട്ടും. ഗവർമ്മെൻറിൽ നിന്നും ഒരു ബില്ലു കൊണ്ടുവന്ന് പണക്കാരെ അമർത്തുന്നതായാൽ വസ്തു വസ്തുവായിത്തന്നെ എഴുതിവാങ്ങുന്നതിനും വസ്തുക്കൾക്ക് വില കുറയുന്നതിനും സംഗതിവരുന്നതാണ്. അതുകൊണ്ടാണ് രാജ്യതന്ത്രജ്ഞനായ സചിവോത്തമൻ ഇപ്രകാരമുള്ള നടപടികൾ ഉടനടി നടപ്പിൽ വരുത്തണമെന്ന് ഉദ്ദേശിച്ചിട്ടുള്ളതു്. ദീർഘദർശികളായ ഉത്തമന്മാർ കണ്ടുപിടിക്കുന്ന സംഗതികൾ ഇങ്ങിനെ ഉള്ളവയാണ്. ചില ബാങ്കുകളിൽ പണമുണ്ടെങ്കിലും സാധുക്കൾക്ക് അവിടെ നിന്നും കടം കിട്ടുകയില്ല. ഇരുപത്തയ്യായിരം രൂപാ കൊടുത്തു വാങ്ങിച്ച വസ്തുവിനു ഇപ്പോൾ ആയിരം രൂപാ കിട്ടുകയില്ല. അതുകൊണ്ടു് ഒരു ബിൽ പാസാക്കികിട്ടുന്നതുവരെ എക്സിക്യൂഷൻ നടപടികൾ നിറുത്തിവയ്ക്കേണ്ടതു അത്യാവശ്യമാണു് എന്നുള്ള സംഗതി ഞാൻ സഭാസമക്ഷം അറിയിച്ചുകൊള്ളുന്നു.

MR. M. SIVATHANU PILLAI: അങ്ങിനെ ചെയ്യുന്നതുകൊണ്ടു വല്ല പ്രയോജനവും ഉണ്ടാകുമോ?

MR. T. C. KESAVA PILLAI: പ്രയോജനമുണ്ടു്. എതിരായുംഉത്തരവാദിത്വത്തോടുകൂടി പ്രവർത്തിക്കേണ്ട ഒരുസംഗതിയാണു ഇതു. അതുകൊണ്ടു് നല്ലപോലെആലോചിച്ചു് ഇന്നത്തെ വിഷമസ്ഥിതിയെ പരിഹരിക്കുന്നതിനു് ഒരുവിളംബരം പ്രസിദ്ധപ്പെടുത്തേണ്ടതു് അത്യാവശ്യമാണു്.

MR. K. R. NARAYANAN (*Vaikom cum Kottayam*): സർ, മി. എം. ആർ. നാരായണപിള്ള അവതരിപ്പിച്ചിരിക്കുന്ന അടിയന്തരപ്രമേയംശക്തിയായി പിൻതാങ്ങുന്നു. കടനിവാരണത്തിനു ഗവണ്മെൻറെടുക്കുന്ന പടികളൊന്നുമില്ലാമാണെന്നും, ജനപ്രതിനിധികൾ അവരുടെ മുമ്പതല എങ്ങിനെനിവർത്തിക്കുന്നുവെന്നും, ബഹുലക്ഷങ്ങൾ ഉൽക്കണ്ഠയോടുകൂടിനോക്കിക്കൊണ്ടിരിക്കു

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. K. R. Narayanan.]

കയാണ്. നിർദ്ദരമായ കടംമൂലം വീഷമിച്ചു കഴയുന്ന നാട്ടുകാരുടെ ഇന്നത്തെ ഏകപ്രശ്നം, അവരുടെ പുരോഗതിയുടെ മുമ്പിൽ വിലങ്ങടിച്ചുനില്ക്കുന്ന ഋണബാദ്ധ്യതകളുടെ പരിഹാരം ഉണ്ടാക്കുകയെന്നുള്ളതല്ലാതെ മറെറാന്നുമല്ല. അതിനുണ്ടാകുന്ന കാലവിളംബം പൊതുജനങ്ങളെ അസ്വസ്ഥരാക്കുന്നു, അമ്പരപ്പിക്കുന്നു. ഈ അടിയന്തിരപ്രമേയം എടുത്ത മി. ശിവതാണുപിള്ളയുടെ വാദഗതി വളരെ വിചിത്രമായിരിക്കുന്നു. ഋണനിവാരണബില്ല പാസ്സായാൽ, ഋണബാദ്ധ്യതകളം തീർക്കുവാൻ ഗവണ്മെന്റു കടം കൊടുത്തു സഹായിക്കേണ്ടിവരും. അനേകമാളുകൾക്കു കടം കൊടുക്കുവാനുള്ള സാമ്പത്തികനില ഇന്നു ഗവണ്മെൻറിനു ഇല്ലാ. യുദ്ധത്തിന്റെ ഗതിയറിയാതെ കടമെടുക്കുന്നതു നല്ലതുമല്ലാ. കഴിഞ്ഞ മഹായുദ്ധത്തിനു ശേഷം സാമ്പത്തികവിഷമങ്ങൾ വളരെ വർദ്ധിച്ചു. ഈ യുദ്ധത്തിനുശേഷവും സാമ്പത്തികവിഷമങ്ങൾ പൂർവാധികം വർദ്ധിക്കുവാൻ ഇടയുണ്ട്. അതുകൊണ്ടു തൽക്കാലം ഇതൊരു അടിയന്തിരപ്രമേയം ആക്കേണ്ട ആവശ്യം കാണുന്നില്ല. മി. ശിവതാണുപിള്ളയുടെ വാദസംഗ്രഹം ഇതാണ്.

MR. M. SIVATHANU PILLAI: ഞാൻ പറഞ്ഞതിനു അങ്ങിനെ അർത്ഥമില്ല.

MR. K. R. NARAYANAN: പറഞ്ഞതിൽ നിന്നും മനസ്സിലാകുവാൻ കഴിയുന്ന അർത്ഥം അതാണ്.

MR M. SIVATHANU PILLAI: അങ്ങിനെ മനസ്സിലാക്കുവാൻ എന്നെക്കൊണ്ടു സാധിക്കുകയില്ല.

MR. K. R. NARAYANAN: പറഞ്ഞത്, പറഞ്ഞതുപോലെ മനസ്സിലാക്കിയതു ഒരു കുറ്റമാണെങ്കിൽ, അതു ഞാൻ അർഹിക്കുന്ന ഒരു കുറ്റം തന്നെയാണ്. മി. ശിവതാണുപിള്ളയുടെ പ്രസംഗം ഞാൻ മനസ്സിലാക്കിയതു്, മറ്റുള്ളവക്ക് മനസ്സിലാക്കുവാൻ കഴിയുന്നതും, ഞാൻ പറഞ്ഞമാതിരിയിലാണ്. ഒരു പ്രസംഗത്തിലെ ഒരു വാചകം മാത്രംമറ്റു വാചകങ്ങളോടു ബന്ധമില്ലാതെ നിറുത്തി അതാണു പ്രസംഗമെന്നു പറഞ്ഞാൽ പോരാ. മൊത്തത്തിലുള്ള പ്രസംഗത്തിന്റെ ഗതി, സ്വരം, ധ്വനി ഇതെല്ലാം പ്രസംഗത്തിന്റെ വസ്തുതകൾ കാണിക്കുന്ന ഘടകങ്ങൾ തന്നെയാണെല്ലാ. പ്രസംഗത്തിനുശേഷം അങ്ങിനെ ഞാൻ പറഞ്ഞതിനു അർത്ഥമില്ലാ, ഇങ്ങിനെ ഞാൻ പറഞ്ഞതിനു അർത്ഥമില്ല, എന്നെല്ലാം പറയുന്നതു വെറും വാചകകസർത്തുകൾ മാത്രമാ

LIBRARY ARCHIVES Kerala Legislative Assembly

കുന്നു. യുദ്ധം നിമിത്തം കടമെടുത്തു കടംകൊടുക്കുവാൻ ഗവണ്മെൻറിനു വിഷമമുണ്ടെന്നു പറയേണ്ടതു ഗവണ്മെൻറാണു്. അങ്ങനെ ചെയ്യണമെന്നു ബില്ലിൽ നിർദ്ദേശമുള്ളതായിതോന്നുന്നില്ലാ. ഉണ്ടെങ്കിൽ തന്നെ ഗവണ്മെൻറിനോടു കടം വാങ്ങാതെ ബില്ലുപാസ്സായാൽ കൊടുക്കുവാൻ കഴിയുന്ന പലരും ഇവിടെക്കാണും. അവരുടെ സാമ്പത്തികളുടച്ചു കളയുന്നതു് ഒരിക്കലും നല്ലതല്ലല്ലോ . യുദ്ധം നിമിത്തം ഗവണ്മെൻറിനു കടമെടുക്കുവാൻ കഴിയുകയില്ലെന്നു പറയുന്നവാദവും ദുർബലമാണു്. തിരുവിതാംകൂറിലെ പട്ടണവാസികളേയും ഗ്രാമവാസികളേയും ഒന്നുപോലെ ബാധിക്കുന്ന ഈ ജീവൽപ്രശ്നത്തിനു പണം കടം എടുക്കുവാൻ കഴിയുകയില്ലെങ്കിൽ മറെറന്തുകാര്യത്തിനു പണം കടമെടുക്കുവാൻ കഴിയുമെന്നു ഞാൻ സഗൗരവം ചോദിച്ചുകൊള്ളുന്നു. പട്ടണപരിഷ്കാരപ്രവർത്തികൾക്കു കടമെടുക്കാമെങ്കിൽ, അതിനെക്കാൾ എത്രയോ അത്യാവശ്യമുള്ള ഈ കാര്യത്തിനു പണം കടമെടുത്തു സഹായിക്കുവാൻ ഗവണ്മെൻറിനു കഴിയും. ഗവണ്മെൻറിന്റെ ചുമതല ആദ്യം പറഞ്ഞതിനെക്കാൾ രണ്ടാമതു പറഞ്ഞതിനു കൂടുതലുമാകുന്നു. ഈ മഹായുദ്ധം കൂടികഴിഞ്ഞു അതിന്റെ സംഭവവികാസങ്ങൾ കൂടികണ്ടതിനു ശേഷമാകുന്നതു കൊള്ളാമെന്നുള്ള അഭിപ്രായം തികച്ചും അസ്വീകാര്യമാകുന്നു. ഒരു സ്ത്രീ പ്രസവവേദനകൊണ്ടു് ജീവിതത്തിനും മരണത്തിനും മദ്ധ്യേകിടന്നു മരണവേദനകാണിക്കുമ്പോൾ, അടുത്ത വീട്ടിലെ ഗർഭിണിക്കുകൂടി പ്രസവവേദന വന്നിട്ടു് ശുശ്രൂഷയ്ക്കുപോയാൽ പെടോൾമാളിക്കാമല്ലോ എന്നു കരുതുന്ന ഡാക്ടറുടെ ഹൃദയകാഠിന്യം പോലെ ഇതും കർക്കശമായിരിക്കുന്നു —(ഹിയർ, ഹിയർ.) ഈ വിഷയത്തിൽ എന്തെങ്കിലും ഗവണ്മെൻറു ചെയ്യുവാൻ കരുതുന്നുണ്ടെങ്കിൽ അതിനുള്ള അവസരം ഇതാണു — അനവസരത്തിലുള്ള സഹായം യാതൊരു ഉപകാരവും ഉണ്ടാക്കുകയില്ല. കടക്കാരുടെനുകത്തിന്റെ കീഴിൽ കിടന്നു ചക്രശ്വാസം വലിക്കുന്ന പാവങ്ങളുടെ നാമധേയത്തിൽ ഗവണ്മെൻറിനോടു എനിക്കു ചെയ്യുവാനുള്ള അഭ്യർത്ഥന, നംപൂതിരിയുടെ ആടുവളർത്തിയ പുലയൻ, അവസാനം നംപൂതിരിയോടു പറഞ്ഞതുപോലെ കഥകഴിച്ചു നിറുത്തുവാനിടയാക്കരുതെന്നാണു്. ആ കഥതന്നെ ഞാൻ ഉദ്ധരിക്കാം. ഒരു നംപൂതിരിരണ്ടാടുകളെ ഒരു പുലയന്റെ പക്കൽ വളർത്തുവാൻകൊടുത്തു. പാവം പുലയൻ ഒന്നിനെ കൊന്നുതിന്നു കുടുത്തടക്കി. ഒരു ദിവസം ആടുകളെ കൊണ്ടുവരുവാൻ തിരുമേനി കല്പിച്ചു പുലയൻ ശേഷിച്ച ഒരാടുമായിച്ചെന്നു തിരുമേനിയോടിപ്രകാരം: ഞാൻ രണ്ടാടുകളേയെന്നുതു് ഒന്നെവിടെ? പുലയന്റെ

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. K. R. Narayanan.]

ഉത്തരം രണ്ടും ഇതുതന്നെയാണെന്നാണ്. വീണ്ടും ചോദ്യം തുടർന്നു. ചോദ്യത്തിന്റെ മുക്കത്തിൽ പുലയൻ കുഴഞ്ഞു അവന്റെ വാദവും തീർന്നു. അപ്പോൾ അവൻ സടകുടഞ്ഞെഴുന്നേറ്റു പറഞ്ഞതു് "തീറ്റിത്തീറ്റിയതിന്റെ ജീവനൊരിടം പറഞ്ഞു ഗ്രണാഡ്യപ്രഭോ" എന്നായിരുന്നു. അതുപോലെ തന്നെ ഗ്രണനിവാരണ ബില്ലിന്റെ പേരിൽ "പോറ്റി" "പോറ്റി" ഞങ്ങളുടേയും ജീവനൊരിടം പറിക്കാതിരിക്കണമെന്നുള്ളതാണു എന്റെ വിനീതമായ അഭ്യർത്ഥന. പുലയൻ "ഗ്രണാഡ്യ"നായ നംപൂതിരിയോടു പറഞ്ഞതു്, ഞാൻ "ഗ്രണാഡ്യ"നായ നമ്മുടെ ഭരണമേധാവിയോടാവർത്തിക്കുന്നു. കടക്കാരുടെ രക്ഷയ്ക്കു എന്തെങ്കിലും ചെയ്യുവാനുണ്ടോ അതുടനെചെയ്യണം. അവർക്കു രക്ഷാവ്യവസ്ഥകളും ബില്ലിൽ ധാരാളമുണ്ടെന്നു പറയുന്നതു കടലാസ്സിലെ കല്പവൃക്ഷത്തിനു തണലുണ്ടെന്നു പറയുന്നതുപോലെയാണു്. നടുകാരെല്ലാവരും നിർനിമേഷരായി നോക്കികൊണ്ടിരിക്കുന്ന ഈ പ്രശ്നം അതർഹിക്കുന്ന ഗൗരവത്തോടും, അനുഭാവത്തോടും കൂടി വീക്ഷിക്കുവാൻ ഗവണ്മെന്റിനോടഭ്യർത്ഥിച്ചുകൊണ്ടു് ഒരിക്കൽകൂടി ഞാൻ ഈ പ്രമേയത്തോടു അനുകൂലിച്ചുകൊള്ളുന്നു.

MR. M. SIVATHANU PILLAI: The member has awfully misunderstood me. Sir, I may be permitted to explain .....

PRESIDENT: Order, order. I find that there is a great deal of exhibition of a tendency to put questions and to raise points of order which do not arise. Honourable members having had their say must allow other honourable members to attack them. If there is any question of personal explanation it is the duty of the Chair to give full scope for that.

MR. PUTHUPALLY S. KRISHNA PILLAI: Sir, it is very much to be regretted that honourable members have chosen not to understand the view point of Government. Last time, when this House met the President undertook to see that the matter would be disposed of as expeditiously as possible and that in the shortest possible time a bill, in whatever form, approved of by Government would be brought forward for the consideration of the House. Every step was taken for that purpose. A committee was constituted, it was asked repeatedly to carry on its deliberations; the report was expedited and the final copy was printed and published and made available to the public and to the officers on the 25th Dhanu 1115. Scarcely one month has elapsed and during this period Government were not idle. Meetings of the representatives of the public were summoned, conferences were held, and important matters on the question were discussed.

The publication of the report had attracted much criticism, some from the creditors and some from the debtors. Government have not

LIBRARY ARCHIVES Kerala Legislative Assembly

been able to come to definite conclusions with regard to some of the important points involved in this bill; and that, I may frankly concede has been the main reason for the delay in introducing this bill. As was pointed out by the Dewan-President is it enough to scale down the debts of the debtors without seeing that the creditors are enabled to realise if not the whole at least a portion of the debts so scaled down?

As the arbitrator of the claims of the creditors and the claims of the debtors, the Government are faced with this very serious problem.

MR. PADIYARA JOSEPH KUNJU: ഇതൊന്നും ആലോചിക്കാതെയാണോ ഈയോഗത്തിന്റെ ആദ്യത്തെ അജൻഡായിൽ ഈ ബില്ല് ഉൾപ്പെടുത്തിയിരുന്നത് ?

MR. PUTHUPALLY S. KRISHNA PILLAI: The agenda was published immediately this House was summoned and the fact that the agenda contained the introduction of this Bill as one of the items of business shows how earnest Government were and how Government hoped that they would be able to introduce it in this session itself.

MR. PADIYARA JOSEPH KUNJU: വാഗ്ദാനംകൊണ്ട് പ്രയോജനമില്ലെന്നും അതു പ്രവൃത്തിപഥത്തിൽ കൊണ്ടുവരികയാണു വേണ്ടതെന്നും അറിയാമോ ?

MR. PUTHUPALLY S. KRISHNA PILLAI: Sir, I am quite sure that Mr. Joseph Kunju will be the first to thank Government when the Bill is introduced. Probably, he is anxious to have it expedited.

MR. PADIYARA JOSEPH KUNJU: അതു ഏതു ശതാബ്ദത്തിലായിരിക്കുമെന്നു പറയുവാൻ ഭയമുണ്ടാകുമോ?

MR. PUTHUPALLY S. KRISHNA PILLAI: I don't care to answer such questions. Sir, I may be permitted to proceed with the point which I was trying to stress.

MR. PADIYARA JOSEPH KUNJU: Sir, on a point of order. ഒരു അഫീഷ്യൽ മെമ്പർ "I don't care to answer" എന്നു ധിക്കാരമായി പറയുന്നതു ശരിയാണോ?

MR. PUTHUPALLY S. KRISHNA PILLAI: Sir, the member asked the question "ഏതു ശതാബ്ദത്തിലാണെ"?

PRESIDENT: Order, order. Both the question and the answer were improper (*Laughter*). The questioner, when he referred to "*Sathabdom*" presumably meant to convey that, as it is now 1940, sixty-one years have to elapse before this Bill could come into law. That is a mode of insinuation which should be deprecated in dealing with matters of a serious nature in a debate of this kind. At the same time, the honourable the Legal Remembrancer, knowing as he must do that honourable members are apt to loose their patience on certain occasions, —either loose or appear to do so—ought to know that he could not answer in the same coin. Anyhow, I hope that both the people will bury their hatchets and withdraw their statements.

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MR. PUTHUPALLY S. KRISHNA PILLAI: Sir, I withdraw my words.

PRESIDENT: And Mr. Joseph Kunju will also do so.

MR. PADIYARA JOSEPH KUNJU: Yes, Sir, I withdraw.

MR. PUTHUPALLI S. KRISHNA PILLAI: The preliminary agenda had to be issued in time and it was hoped that the Bill could be put into shape before the commencement of the session and in time for publication in the Gazette. But when this Bill was put into shape the question arose as to whether it is enough to pass the Bill into law and leave the debtors and creditors to the mercy of each other. Any measure which does not take into consideration the possibility of meeting the demands of the creditors as well would be a failure. As an instance, I may point out the series of debt relief measures adopted in British India. The Bombay Debt Relief Bill contains a clause directing Government or imposing a responsibility on Government to raise loans for the purpose of meeting the debts scaled down under the Act. The Madras Act evidently has not thought of it or is probably trying to make the best of it through their Land Mortgage Banks.

MR. P. NARAYANA PILLAI: If the Bill is passed as proposed by the Committee, is there not any scope for mutual adjustment between the parties?

MR. PUTHUPALLY S. KRISHNA PILLAI: Sir, if it is a matter of adjustment, it is a matter which can be done even under the existing conditions. The main question is, to what extent compulsion may be resorted to? A Government measure is not necessary for the purpose of mutual adjustment. It is not to be hoped that the debts in Travancore are such as can be discharged by book adjustments. When by statute you deny to a man what in law he is entitled to, that man must have some compensation at least by the return of the balance which you concede is due to him. We have not been able to take advantage of the existing legal provisions of law owing to the absence of proper financing agencies. That, Government believe is one of the most important reasons for the failure of the existing Act. That is a matter to which attention has to be drawn by Government. In the recommendations of the Committee also, they have given due prominence to this aspect. In the conferences that were subsequently held and, in the representations that have been received subsequently, the point has been stressed that there must be some guarantee that the scaled down debts would be paid.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: May I know from the honourable Legal Remembrancer whether the representative of the Credit Bank was also present at the time of the deliberations of the Committee?

MR. PUTHUPALLY S. KRISHNA PILLAI: Yes, Sir, he was

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, May I know, whether that representative has made a clear statement that the Credit Bank is in a position to supply the necessary funds to satisfy.....

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PRESIDENT: The Credit Bank with a total asset of Rs. 20 lakhs to finance the scheme requiring 8 crores! Is that the idea?

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, my question was whether the representative of the Credit Bank has made such a definite statement. Whether the statement is capable of materialisation or not, is not my concern.

PRESIDENT: We have heard of what may be called Rosicrucian methods of making gold out of air, but, how can the Credit Bank, under any possibility, finance things of this kind. They have no power. They have only 20 lakhs under their control. I don't think it possible for the Credit Bank to help the Debt Relief Scheme, unless Government come to their rescue and ask them to guarantee with debenture bonds. The representative of the Credit Bank might have said something unguaranteed.

MR. PUTHUPALLY S. KRISHNA PILLAI: Sir, it might be a rumour.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: The honourable member cannot say that it was a rumour.

PRESIDENT Was it a fact?

MR. PUTHUPALLY S. KRISHNA PILLAI: No, Sir, I am not able to say whether it is correct. The Report does not contain any statement to that effect.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, my question was whether he was also present at the time when the representative made such a statement?

MR. PUTHUPALLY S. KRISHNA PILLAI: I am not able to remember.

PRESIDENT: Yes, you may proceed.

MR. PUTHUPALLY S. KRISHNA PILLAI: It was stressed by several representatives of the public that before this Bill was introduced, Government must make up their minds as to the best means of helping payment of the scaled down debt. Government are considering whether without directly and definitely undertaking the responsibility for financing the scheme, it would be proper to push on with the introduction of the Bill. I am putting the question definitely to the honourable members. It would appear from the Committee's Report previously submitted to Government and from the Devadhar Committee that the total debt comes nearly to 30 crores of rupees.

MR. PADIYARA JOSEPH KUNJU: Sir, on a point or order. ലീഗൽ റിമെബ്രൻസറുടെ പ്രസംഗത്തിന്റെ മാത്രക കേട്ടാൽ ഇവിടെ ഒരു ബിൽ ഹാജരാക്കിയിട്ടുണ്ടെന്നും അതിനെ അടിസ്ഥാനമാക്കിയാണ് പ്രസംഗിക്കുന്നതെന്നും തോന്നി പോകുന്നു. ഈ ബില്ലിനെപ്പറ്റി കഴിഞ്ഞ തവണ പറഞ്ഞപ്പോൾ ഗവണ്മെന്റിൽനിന്നും ഒരു കമ്മറിയെ ഫുർപ്പെടുത്താമെന്നും സ്പെഷ്യൽ മീറിംഗ് തന്നെ വിളിച്ചുകൂട്ടി ഇതാലോചിക്കാമെന്നും പറഞ്ഞു.

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MR. C. V. CHANDRASEKHARAN: On a point of order, Sir. He is making a speech; not asking a question.

PRESIDENT: This point of order arising out of another point of order has to be upheld because he is making a speech. (*Laughter.*)

MR. KANNANTHODATH JANARDANAN NAIR: I move that the question may be put to vote.

PRESIDENT: How can you do it at the middle of the speech?

MR. PUTHUPALLY S. KRISHNA PILLAI: I put the question definitely to the honourable members whether they are satisfied with a bare Act declaring that so much of the debts are discharged, or whether they want the Government to consider the question whether when the debts are scaled down, agencies to finance the debtors should be established or other measures taken for the purpose of financing the liquidation of such scaled down debts. If the members are in favour of the first proposition, that is whether the debts are liquidated or not, whether there is any financing agency for the purpose of liquidating the debts or not we must have an Act; if this is their view, let us scale down the debts, let us ruthlessly cut them down, and not care for what happens. But Government cannot be a willing party to any such measure. If this is the honourable members' position, they may vote in favour of the adjournment motion. But, if on the other hand, they would patiently and dispassionately consider the position of Government and take the question more seriously, I would urge them to consider one aspect. It will be necessary that if this Bill is passed into law or if any debt relief measure with an element of compulsion is undertaken, there must be some machinery devised by Government or some methods undertaken by Government whereby, if not the whole, at least some portion of the liquidated debt could be paid off. If that is so, honourable members are fully aware that Government resources are not sufficient enough to advance the necessary funds for the purpose. It can be done only by borrowing or by the issue of debentures. Honourable members should consider whether this State should undertake the liability or the responsibility of taking on hand so much of the indebtedness in the State. That is a question which will be put definitely to the honourable members tomorrow when the report is presented to the honourable members for their consideration.

The other questions arising under the Bill, the controversies that range round the various details of the Bill, are, in my humble opinion, insignificant. They are matters which could be adjusted, they are matters which could be discussed or about which Government themselves may take up the responsibility for decision. Probably honourable members may be in a position to put forward their amendments at the proper time. The more serious thing is whether the Government should take upon themselves the burden of indebtedness in the State.

MR. P. S. MUHAMED: ആ റസ്പോൺസിബിലിറ്റി മനസ്സിലാക്കി ഒരു ബില്ലുകൊണ്ടു വരുവാൻ ഏതു സമയം വേണ്ടിവരും?

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MR. PUTHUPALLY S. KRISHNA PILLAI: My own impression is that within a month and a half or at the most within a couple of months the question can be decided or some proper solution can be found out. I am only making the largest estimate possible, because otherwise honourable members may say "You put it at 30 days; now it is 31 days. Therefore it is wrong" and all that. In order that I may be on the safe side, I have put it at as long a period as possible.

Tomorrow when the report comes up for discussion honourable members will be called upon to answer this very serious question whether the State should undertake the indebtedness of the indebted people in the State. Honourable members will get an opportunity for discussing the details of the Bill, the controversial points in the Bill, when it is presented to them to-morrow. But so far as the report is concerned, the fundamental question for decision is whether we want only an Act and leave things to themselves or whether you want Government to have some responsibility in the matter of financing or finding funds for the purpose of liquidating scaled down debts.

MR. M. R. NARAYANA PILLAI: Suppose suitable amendments are made in the Bill to enable the debtors to make payments.

MR. PUTHUPALLY S. KRISHNA PILLAI: For that no provision is necessary. Why should the legislature command that he shall pay or shall not pay, or that every debtor who is able to pay may pay? If every debtor is able to pay, even under the existing system, will it not be possible for him to pay without the intervention of the legislature?

MR. K. DOMINIC JOSEPH: Does the Bill, as contemplated, propose any such liability to be cast upon Government?

MR. PUTHUPALLY S. KRISHNA PILLAI: No. No statutory obligation is sought to be cast on Government. Government want to ascertain whether it is the intention of the House that Government should undertake any responsibility in the matter or whether the House wants merely an Act.

MR. M. R. NARAYANA PILLAI: Does the honourable member mean that the debtors should be deprived of what little property they have left to them so that they can never get away from the burden of debt?

MR. PUTHUPALLY S. KRISHNA PILLAI: I am coming to that presently. As I was saying, the problem was one which Government could not solve on the spur of the moment. It is a matter which will involve Government for generations to come. It is a matter which, if adopted or accepted to the full extent, would involve Government in crores. It is a matter which requires some time for consideration.

MR. KOTTALIL P. ABRAHAM: May I know the reason for the delay?

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MR. PUTHUPALLY S. KRISHNA PILLAI: Government thought that they would be able to solve the problem but it assumes greater importance as days advance. Government tried to ascertain what exactly may be required to pay off at least a portion of the scaled down debts. Honourable members may remember that the existing decree debts come to over 8 crores of rupees. How much can it come to if it is scaled down? It cannot be less than Rs. 4 crores. Will it be possible for Government to pay at least a portion of the scaled down debts—say, a crore of rupees? That is the question which Government have to consider. If the honourable members think that they want only an Act, then it will be very easy. There are the bills by Mr. Padiyara Joseph Kunju and Mr. Joseph Vithayathil which have not been withdrawn. Probably they will be entitled to push on with those bills.

MR. M. SIVATHANU PILLAI: May I know whether the Committee were asked to send up a simple report.

MR. PUTHUPALLY S. KRISHNA PILLAI: That matter also came up for discussion before the Committee. Even though no direction was given to the Committee, it was stated by the Dewan-President that the Committee are being requested to send up a draft bill so that without any loss of time that Bill itself may be introduced in the Assembly. It was as a mark of respect that the members of the Committee thought it desirable that their recommendations may be put in Bill form. That does not mean that Government are bound to accept the provisions contained in the Bill. As representing Government I may say that certain changes will have to be made in the Bill before it can be sponsored by Government. The Committee have not taken any other responsibility in the matter nor do Government stand committed to the acceptance of the Bill in the form in which it is presented by the Committee.

There is only one more point which I would like to answer. It was suggested that execution sales are being pushed on with and that orders staying execution sales may be directed to be issued.

PRESIDENT: I greatly appreciate the compliment paid to the Travancore courts with regard to speedy execution proceedings.

MR. PUTHUPALLY S. KRISHNA PILLAI: I may draw the attention of the House to the fact that there is still in force a circular which was issued at the instance of several honourable members of this House. Execution is being put off as a result of a standing circular issued by the High Court with the sanction of Government in 1111, which was being extended from time to time. That circular is No. 1 of 1111, which, it was suggested should be abrogated. But Government said that it should not be and that the spirit of the circular must be given effect to in appropriate cases, so much so that even today debtors are not without legal protection. They are not left entirely at the mercy of the creditors. In the case of incorrigible debtors, however, whose sole business is to ask for postponement of sale and to create obstacles in the way of execution, the court may not be in a position to afford any relief.

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MR. M SIVATHANU PILLAI: Are there such debtors?

MR. PUTHUPALLY S. KRISHNA PILLAI: Yes, there are very bad debtors as there are very good debtors also. The number may probably be greater in the former than in the latter. In the Bill itself, if it happens to be accepted by Government, there is a provision for setting side any sale of immovable property effected after 1st Karkadakam 1114.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Is not that provision conditional? Is it not for setting aside sales effected after 1-12-1114?

MR. PUTHUPALLY S. KRISHNA PILLAI If the amount scaled down in the prescribed manner will not exceed the amount for which the sale has been effected and if there is nothing to be scaled down, the Committee have stated that it is unjust to reopen the sale. What is being asked is that in anticipation of the passing of the Bill all sales should be stopped. This Government are not in a position to agree to.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: On account of the existence of the present economic depression is there not the possibility of the properties being sold for inadequate prices?

MR. PUTHUPALLY S. KRISHNA PILLAI: Whether the properties have been sold for an adequate price or whether they have been sold for an inadequate price, if a debtor is entitled to the benefits of the provisions of the Act, the sale will be set aside, the decree will be reopened and debt will be settled on the basis of the provisions of the Bill. The honourable member's view is that every debtor should be entitled to some benefit under this Act. But there are a large number of debtors whom no law can save. The draft Bill proposed by the Committee contains adequate provisions but I do not propose now to discuss the details of the Bill.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: In regard to sales effected after 1-12-1114, is there any provision in the proposed Bill to cancel them where the amounts have been ratably distributed under Section 59 of the Civil Procedure Code?

MR. PUTHUPALLY S. KRISHNA PILLAI: We are going rather too much into details. Such sales will not be set aside. But is it the case that such cases are many? As a matter of fact, no creditor purchases the property of the debtor after depositing the purchase amount. If at all a sale takes place, it is only by adjustment towards the decree amount. I would request the mover to withdraw the motion.

MR. M. R. NARAYANA PILLAI: I press the motion.

The question was put and the motion was declared carried.

The House adjourned at 5-15 P. M.

A. GUNAMONY,

Secretary to the Sri Mulam Assembly.

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